

FILED Apr 05, 2013 11:12 am  
BOOK 10460  
PAGE 0279 THRU 0297  
INSTRUMENT # 09515  
EXCISE TAX \$0.00  
SD8

FILED  
CABARRUS  
COUNTY NC  
WAYNE NIXON  
REGISTER  
OF DEEDS

**NOTE: THE SPACE ABOVE IS FOR THE REGISTER OF DEEDS USE**

This page is provided for recordation purposes. The entire document, including this page, should be recorded at the Register of Deeds and indexed as follows:

<u>Grantor/Landowner:</u>	BFI Waste Systems of North of America, Inc.
<u>Grantee/Holder of Permit:</u>	NC DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
<u>Document Type:</u>	PERMIT

The property is identified by the deeds recorded as listed below:

Cabarrus County, N.C. Register of Deeds			
Book	Page	Name of Landowner	Acreage
2218	291	BFI Waste Systems of North America, Inc.	676.25
4328	353	BFI Waste Systems of North America, Inc.	21.44
Total Facility Acreage:			697.69

Note – The Iredell County Parcel IDs are 5508-37-7335, 5508-24-2546 and 5508-27-1948.

THE PURPOSE OF THIS RECORDATION IS TO NOTIFY FUTURE BUYERS OF SAID PROPERTY THAT A SANITARY LANDFILL HAS OPERATED ON THE PROPERTY.

19  
42-

Permit Recordation

I do hereby certify that the attached PERMIT TO CONSTRUCT and OPERATE is an exact and true original of PERMIT NUMBER 1304-MSWLF-1992 for the Charlotte Motor Speedway Landfill V.



John E. Murray, P.E.  
Regional Engineer  
Permitting Branch  
Solid Waste Section  
Division of Waste Management

North Carolina  
Iredell County

I, Sherian R. Black, Notary Public for Iredell County,

North Carolina, do hereby certify that John E. Murray, Regional Engineer of the Permitting Branch, Solid Waste Section, Division of Waste Management, NCDENR, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal,

This the 25 day of March, 2013.

OFFICIAL SEAL

  
NOTARY PUBLIC



My commission expires July 12, 2014.

**Note to Register of Deeds:** This certified original permit shall be recorded by the Register of Deeds and indexed in the grantor index under the name of the land owner. The certified original affixed with the Register's seal and the date, book, and page number of recording must be returned to the Permitting Branch Supervisor, Division of Waste Management, Solid Waste Section, 1646 Mail Service Center, Raleigh, NC 27699-1646.



Charlotte Motor Speedway Landfill V  
Facility Permit No: 1304-MSWLF-1992  
Permit to Construct & Operate  
Document ID No. 18066  
February 8, 2013  
Page 1 of 17

North Carolina Department of Environment and Natural Resources

Division of Waste Management

Dexter R. Matthews

Director

Pat McCrory  
Governor

John E. Skvarla, III  
Secretary

STATE OF NORTH CAROLINA  
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES  
DIVISION OF WASTE MANAGEMENT  
SOLID WASTE SECTION

***MUNICIPAL SOLID WASTE LANDFILL FACILITY  
PERMIT NO. 13-04-MSWLF-1992***

BFI WASTE SYSTEMS OF NORTH AMERICA, INC.,  
a wholly owned subsidiary of Republic Services, Inc.,  
is hereby issued a

**PERMIT TO CONSTRUCT**

and

**PERMIT TO OPERATE**

the

**CHARLOTTE MOTOR SPEEDWAY LANDFILL V  
PHASE 3-CELL 2I & PHASE 1-VERTICAL**

Accessed via Morehead Road, Concord, Cabarrus County, North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The legal description of the site is identified on the deeds recorded for this property listed in Attachment No. 1 of this permit.

Digitally signed by Edward F.  
Mussler III, P.E.  
DN: cn=Edward F. Mussler III, P.E.,  
o=Solid Waste Section, ou=NC  
DWM,  
email=ed.mussler@ncdenr.gov,  
c=US  
Date: 2013.02.08 13:53:42 -05'00'

Edward F. Mussler, III, P.E.  
Permitting Branch Supervisor  
Solid Waste Section



## ATTACHMENT 1

### PART I: PERMITTING HISTORY

Issuance	Date	DIN
Original Issue (PTC)	April 1, 1991	
Original Issue (PTO)	August 22, 1992	
Amendment 1 (Cell B)	September 16, 1993	
Permit Renewal (Facility Plan & 2A-2E)	April 25, 1995	
Transition Plan Approval (Cell 1A)	May 23, 1996	
Amendment 2 (PTC) Vertical Expansion	December 17, 2001	
Amendment 3 (PTO) Vertical Expansion/Cell 2L	August 21, 2002	
Amendment 4 (PTC) 2F, 2G, & 2H	July 14, 2006	
Amendment 5 (PTO) 2F	July 12, 2007	2742
Amendment 6 (PTO) 2G	October 7, 2008	5940
Amendment 7 (PTO) 2H	December 17, 2009	8991
Amendment 8 (PTC) 2I, 2J, 2K & 2M	April 12, 2010	8990
Amendment 9 (PTC, Modification No. 1) Phase 3, Cells 2I, 2J, 2K & 2M	September 13, 2010	11552
Amendment 10 (PTC, Modification No. 2) Phase 3, Cells 2I, 2J, 2K & 2M	November 12, 2010	12150
Amendment 11 (PTO) 2I	May 4, 2011	13308
Amendment 12 (PTC) Phase 3-Cell 2I & Phase 1- Vertical	February 8, 2013	18066

### PART II: LIST OF DOCUMENTS FOR THE APPROVED PLAN

Documents 1-15 are contained in previous (PTC) permits, identified above.

- Letter with attachments dated April 20, 2004 from Robert E. Cansler, Deputy City Attorney for the City of Concord, to NCDENR, that the City voted twice (July 9, 2003 and February 13, 2003) granting a new franchise to BFI-CMS Landfill V. The Public Hearing for the rezoning request to allowing the expansion was held July 10, 2003 and February 14, 2003.



17. *Site Suitability Update for BFI Waste Systems of North America, Inc, CMS Landfill V – Lateral Expansion Phase 2 Expansion (Cells 2F, 2G & 2H) and Phases 3, 4, & 5.* Prepared by: ESP Associates, P.A. dated May 6, 2004. Prepared for: BFI Waste Systems of North America, Inc. Public Hearing 06/16/2006 DIN 2582.
18. The Certified Copy of Franchise Ordinance (Client-Matter No. 4002822.000605) from Benne C. Hutson of Helms Mulliss Wicker with attached “An Ordinance Renewing A Nonexclusive Franchise to BFI of North America, Inc.” from the City of Concord, NC. February 10, 2005 to NCDENR.
19. Response to Comments November 2005 by ESP Associates. P.A.
20. *Revised Plans for NCDENR –Division of Solid Waste Management, Hydrogeologic Comments.* Prepared by Almes & Associates, Inc. and ESP Associates, P.A. December 20, 2005.
21. Revised Plan Sheets for Application to Construct dated December 20, 2005. Prepared by: ESP Associates, P.A.
22. *Permit Modification Application, Facility, Engineering and Erosion Control Drawings and CQA and Operations Plans for the Charlotte Motor Speedway Landfill V, NCDENR Permit No. 1304 Concord, North Carolina.* Prepared by: ESP Associates and Almes & Associates, Inc. dated May 7, 2004. Prepared for: BFI Waste Systems of North America, Inc. The application was amended through December 6, 2005 (NCDENR hydro comments and responses by ESP Associates Inc. and NCDENR Engineering comments answered by BFI Waste Systems of North America Inc. and ESP Associates Inc. through March 16, 2006).
  - a. Site Suitability Update for BFI Waste Systems of North of America Inc., CMS Landfill V – Lateral Expansion Phase 2 Expansion (Cells 2F, 2G & 2H) and Phases 3, 4, & 5. Prepared by: ESP Associates, P.A. Prepared for: BFI Waste Systems of North America, Inc. May 6, 2004.
  - b. Revised Plans for NCDENR – Division of Solid Waste Management, Hydrogeologic Comments prepared by Almes & Associates, Inc., and ESP Associates, P.A., December 20, 2005.
  - c. Response to Comments prepared by ESP Associates, P.A., November 2005
  - d. Revised Plan Sheets for Application to Construct. Prepared by: ESP Associates, P.A. December 20, 2005.

23. *Final Certification Report, Construction Quality Assurance Services, Volumes I and II, Cell 2F Construction, Charlotte Motor Speedway Landfill V.* Prepared for: Allied Waste. Prepared by: ACC of North Carolina, LLC. May 2007. DIN 2853 and 2852.
24. *Final Certification Report, Construction Quality Assurance Services, Cell 2G Construction, Soil Component Construction, Charlotte Motor Speedway Landfill V, Cabarrus County, North Carolina.* Prepared for: Allied Waste. Prepared by: ACC of North Carolina, LLC. July 22, 2008. DIN 6648.
25. *Final Certification Report, Construction Quality Assurance Services, Cell 2G Construction, Geosynthetic Component Construction, Charlotte Motor Speedway Landfill V, Cabarrus County, North Carolina.* Prepared for: Allied Waste. Prepared by: ACC of North Carolina, LLC. August 19, 2008. DIN 5944.
26. CMS Landfill Cell 2H Construction, Construction Drawings and Specifications, Addendum No.1, Pre-Construction Meeting Minutes - May 27, 2009 - 06-09. DIN 7792.
27. Operation Plan Modification for the Use of Petroleum Hydrocarbon Contaminated Soils as Alternate Daily Cover, Prepared by ERM NC, P.C. Prepared for: Charlotte Motor Speedway Landfill V MSWLF. Permit No. 13-04. June 9, 2009. DIN 8584.
28. *Supplement to Design Hydrogeologic Report, Landfill Gas Monitoring Plan, CMS-V MSWLF Facility Phase 3 (PTC Application).* Prepared for: BFI Waste Systems of North America, Inc. Prepared by: David Garrett and Associates Engineering. July 13, 2009. DIN 7998.
29. *Design Hydrogeologic Report, CMS Landfill V – Phase 3, (Cells 2I – 2K and 2M).* Prepared for BFI Waste Systems of North America, Inc. Prepared by David Garrett and Associates Engineering. August 2008, revised May 2009 and September 2009. DIN 7999.
30. *Final Certification Report, Construction Quality Assurance Services, Cell 2H Construction, Soil Component Construction, Charlotte Motor Speedway Landfill V, Cabarrus County, North Carolina.* Prepared for: BFI Waste Systems of North America Inc. Prepared by: ACC of North Carolina, LLC. August 2009, revised September 30, 2009, DIN 8887.
31. Industrial User Pretreatment Permit No. 1024 issued By: Water & Sewer Authority of Cabarrus County. November 5, 2004, expires on December 31, 2009, revised

October 2009. DIN 9475.

32. *Permit Application for Phase 3, Permit to Construct, Charlotte Motor Speedway Landfill V. Volumes 1 and 2. Prepared for Republic Services of South Carolina, LLC. Prepared by Hodges, Harbin, Newberry and Tribble, Inc. May 2009, revised October 2009 and January 5, 2010. DIN 8990 and 9475.*
33. *Proposed Modification (Permit Modification No. 1) to the Permit Application, for Phase 3 Permit to Construct, Charlotte Motor Speedway V Landfill Phase 3. Permit No. 1304. Prepared for Republic Services, Inc. Prepared by SCS Engineering, PC. August 6, 2010. DIN 11550.*
34. *Variance Request for Landfill Bottom Liner System Protective Cover Minimum Permeability Requirements. Permit Modification to Phase 3, Permit to Construct, Charlotte Motor Speedway V Landfill. Permit No. 1304 Phase 3, Cells 2I, 2J, 2K, and 2M Construction. Prepared by SCS Engineering, PC. October 1, 2010. DIN 12104.*
35. *Operation Plan for the Leachate Collection System Cleaning, Inspection and Record Keeping for Phase 3. 13-04 CMS Landfill V Permit Modification. Prepared by SCS Engineers, P.C. November 5, 2010. DIN 12144.*
36. *Final Certification Report, Construction Quality Assurance Services, Cell 2I Construction, Charlotte Motor Speedway Landfill V, Cabarrus County, North Carolina. Volume I and II. Prepared for: BFI Waste Systems of North America Inc. Prepared by: ACC of North Carolina, LLC. February 14, 2011 and revised through April 27, 2011. DIN 13309, 13336, 13724, 13725.*
37. *2012 Facility Plan Modification, Charlotte Motor Speedway, Permit No. 13-04. Prepared by Hodges, Harbin, Newberry and Tribble, Inc. April 2012, Revised October 2012, Revised December 12, 2012. DIN 18066, DIN 16766, DIN 18090, DIN 18091*

- End of Section -



### **PART III: PROPERTIES APPROVED FOR THE SOLID WASTE FACILITY**

<b>Grantor</b>	<b>Deed Book</b>	<b>Page No.</b>	<b>Acreage</b>	<b>Grantee</b>
CMS Development Corp.	2218	291	676.25	BFI Waste Systems of North America, Inc.
Evelyn H. Furr	4328	353	21.44	BFI Waste Systems of North America, Inc.

*\*The Complied Plat for BFI Waste Systems of North America, Inc.* by Thomas J. Fields, PLS 2906, dated December 2009. The information used was in Deed book 618 Page 204 and the drawing (Attachment I Part II) "of formerly a portion of the Evelyn H. Furr property" (Deed Book 94, Page 402) by ESP Associates, P.A. dated 4/19/2002.

### **PART IV: GENERAL PERMIT CONDITIONS**

1. This permit is issued by the North Carolina Department of Environment and Natural Resources, Division of Waste Management, Solid Waste Section (Section). In accordance with North Carolina Solid Waste Management Rule 15A NCAC 13B .0201(d), a solid waste management facility permit shall have two parts: a Permit to Construct and a Permit to Operate. The Permit to Construct shall expire February 08, 2018. The Permit to Construct must be implemented in accordance with Attachment 2 of this permit. The Permit to Operate must be implemented in accordance with Attachment 3 of this permit.
2. The persons to whom this permit is issued (permittee) are the owners and operators of the solid waste management facility.
3. This permit shall not be effective until the certified copy of this permit which references legal descriptions for all land within the solid waste management facility boundary is recorded in the Register of Deeds office and indexed in the grantor index under the name of the owner of the land in the county or counties in which the land is located. The certified copy of the permit, affixed with the Register's seal and the date, book, and page number of recording, must be returned to the Section within 30 calendar days of issuance of this permit. If the Section does not receive the certified copy of the recorded permit within 30 calendar days of issuance of the permit, then and in that event, the permit is

suspended and of no effect until the date the Section receives the certified copy of the recorded permit.

4. When this property is sold, leased, conveyed, or transferred in any manner, the deed or other instrument of transfer must contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a Municipal Solid Waste Landfill (MSWLF) and a reference by book and page to the recordation of the permit.
5. By beginning construction or receiving waste at this facility the permittee shall be considered to have accepted the terms and conditions of this permit.
6. Construction and operation of this solid waste management facility shall be in accordance with the Solid Waste Management Rules, 15A NCAC 13B; Article 9 of the Chapter 130A of the North Carolina General Statutes (NCGS 130A-290, et seq.); the conditions contained in this permit; and the approved plan. If the approved plan and the rules conflict, the Solid Waste Management Rules shall take precedence unless specifically addressed by permit condition.
7. This permit is issued based on the documents submitted in support of the application for permitting the facility identified in Attachment 1, Part II "List of Documents for Approved Plan," which constitutes the approved plan for the facility. Where discrepancies exist, the most recent submittals and the Conditions of Permit shall govern.
8. The permit may be transferred only with the approval of the Section through the issuance of a new or substantially amended permit in accordance with applicable statutes and rules. In accordance with NCGS 130A-295.2(g), the permittee must notify the Section thirty (30) days prior to any significant change in the identity or business structure of either the owner or the operator, including but not limited to a proposed transfer of ownership of the facility or a change in the parent company of the owner or operator of the facility.
9. The permittee is responsible for obtaining all permits and approvals necessary for the development of this project including approval from appropriate agencies for a General or Individual NPDES Stormwater Discharge Permit. Issuance of this permit does not remove the permittee's responsibilities for compliance with any other local, state or federal rule, regulation or statute.

- End of Section -

## ATTACHMENT 2

### CONDITIONS OF PERMIT TO CONSTRUCT

#### PART I: MUNICIPAL SOLID WASTE LANDFILL UNIT SPECIFIC CONDITIONS

- Pursuant to the NC Solid Waste Management Rules (Rules) 15A NCAC 13B .0201 (c) and (d)(1), this permit approves construction for Phase 3—Cell 2I & Phase 1 Vertical of the landfill. However, by utilizing Phase 3—Cell 2I & Phase 1 Vertical, no new liner is required to be constructed. This Phase has a projected gross operating capacity of 7,664,256 cubic yards of airspace. The total gross volume for the facility is 50,869,000 cubic yards. The design documents associated with Cells No. 2J, 2K, & 2M, which have been previously approved, and authorized construction of those cells will remain approved with this permit. An application for a Permit to Construct will be required for future Phase 4 prior to the initiation of construction activities for that phase.

<u>Phase</u>	<u>Cell</u>	<u>Acres</u>	<u>Gross Capacity (cubic yards)</u>	<u>Status</u>
2	2F	14.0	2,028,000	Operational
2	2G	14.2	2,223,947	Operational
2	2H	13.5	1,777,450	Operational
<b>Total Ph. 2</b>		<b>41.7</b>	<b>6,029,397</b>	
<b>Total Phase 3 – Cell 2I &amp; Phase 1 Vertical</b>		<b>0.00*</b>	<b>7,664,256</b>	Constructed & Approved
<b>Total Phase 3 – South (Cells No. 2J, 2K &amp; 2M)</b>		<b>37.98</b>	<b>7,613,132</b>	Design Documents Approved but Cells Not Constructed
<b>Total Phase 4</b>		<b>6.97</b>	<b>6,314,513</b>	Future

\*NOTE: Phase 3-Cell 2I & Phase 1 Vertical does not require any additional waste footprint to be constructed (vertical expansion).



2. The initial, substantial, construction authorized by this Permit to Construct must commence within 18 months from the issuance date of this permit. If substantial construction does not begin within 18 months from the issuance date of this permit, then the permit to construct shall Substantial construction includes, but is not limited to, issuance of construction contracts, mobilization of equipment on site, and construction activities including installation of sedimentation and erosion control structures. The permittee may reapply for the Permit to Construct prior to the expiration date. The re-application will be subject to the statutes and rules in effect on that date and may be subject to additional fees.
3. Construction of all solid waste management units within this facility must be in accordance with NCGS 130A-295.8(b)(2) and the pertinent approved plans for those phases of development as described in Attachment I, Part II, List of Documents for the Approved Plan.
4. The permittee must conduct a preconstruction meeting at the facility prior to initiating construction of any unit/cell and must notify the Section at least 10 days prior to the meeting.
5. Modifications or revisions of the approved documents or changes during construction of any landfill unit/cell require approval by the Section, and may constitute a permit modification and be subject to a permitting fee.
6. The following conditions must be met prior to operation of Phase 3 -South (Cells No. 2J, 2K, & 2M) and subsequent phases:
  - a. The Permittee must obtain a Permit to Operate for the phase from the Section in accordance with 15A NCAC 13B .0201(d)(2).
  - b. Construction Quality Assurance (CQA) documentation and a certification by the project engineer that the landfill was built in accordance with approved plans and the conditions of the permit must be submitted to the Section for review and approval.
  - c. The Permittee must contact the appropriate regional environmental specialist and permitting engineer to determine whether the Section chooses to hold a pre-operative meeting with key landfill personnel and representatives of the Section.
7. The leachate collection system must be maintained in accordance with 15A NCAC 13B .1626(12)(a). The permittee shall have a plan detailing the maintenance of the system. The plan shall include provisions for periodic cleaning and visual inspection. Documentation of the inspections, and cleaning and monitoring must be included in the operating records of the facility and provided to the Section upon request (Approved Document dated 11/05/2010, DIN 12144.).

8. Pursuant to the NC Solid Waste Management Rule (Rule) 15A NCAC 13B .1626(5) burning of land-clearing debris generated on-site, as a result of construction activities, requires approval by the Section prior to initiating the burn. In addition, the Division of Air Quality and local fire department must approve the activity prior to burning.

### **Geologic, Ground Water and Monitoring Requirements**

9. Prior to issuing the Permit to Operate, samples from new ground water monitoring wells and surface water stations must be sampled for the Appendix I constituent list.
10. Prior to construction of the phase or cell(s) within the phase, all piezometers, borings, and groundwater monitoring wells within the footprint must be properly abandoned in accordance with 15A NCAC 2C .0113 (d), entitled "Abandonment of Wells."
11. In areas where soil is to be undercut, abandoned piezometers, monitoring wells and borings must not be grouted to pregrade land surface, but to the proposed base grade surface to prevent having to cut excess grout and possibly damage the wells.
12. A Licensed Geologist must report any pertinent geological feature(s) exposed during phase or cell excavation. Prior to placing any landfill liner, the geologist must submit to the Section hydrogeologist a written report that includes an accurate description of the exposed geological feature(s) and effect of the geological feature(s) on the design, construction, and operation of the cell, phase, or unit.
13. A Licensed Geologist must supervise installation of groundwater monitoring wells and surface water sampling stations.
14. Any modification to the approved water quality monitoring, sampling, and analysis plan must be submitted to the Section Hydrogeologist for review.
15. Within 30 days of completed construction of each new groundwater monitoring well, a well construction record (GW-1 form), typical well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section. Each monitoring well and gas probe must be surveyed for location and elevation.
16. The permittee must submit to the Section a plan sheet-sized, scaled topographical map, showing the location and identification of new, existing, and abandoned wells and piezometers after installation of groundwater monitoring wells.
17. Within thirty (30) days of the completed permanent abandonment of a groundwater monitoring well, the well abandonment record (GW-30 form) and any additional information included in the abandonment record must be submitted to the Section. The well abandonment records must be submitted to the Section consistent with 15A NCAC 2C



.0114(b) and be certified by a Licensed Geologist.

18. All forms, reports, maps, plans, and data submitted to the Section must include an electronic copy.

#### **Erosion and Sedimentation Control Requirements**

19. All required sedimentation and erosion control measures must be installed and operable to mitigate excessive on-site erosion and to prevent silt from leaving the area of the landfill unit during the service life of the facility.
20. All earth disturbing activities must be conducted in accordance with the Sedimentation Pollution Control Act of 1973 (15 NCAC 4) and consistent with any other local, state or federal requirements.
21. Facility construction, operations or practices must not cause or result in a discharge of pollution, dredged material, and/or fill material into waters of the state in violation of the requirements under Sections 401 and 404 of the Clean Water Act, as amended.
22. Modifications to the approved sedimentation and erosion control activities require approval by the North Carolina Land Quality Section. The Section must be notified of any sedimentation and erosion control plan modification

#### **Post-closure Requirements**

23. The permittee must maintain the integrity and effectiveness of the cap system, including making repairs to the cover as necessary to correct the effects of settlement, subsidence, erosion, or other events, and prevent surface water from impounding over waste and run-on and run-off from eroding or otherwise damaging the cap system. In addition, a vegetative cover of native grasses must be maintained and mowed regularly.
24. Post-closure use of the property is subject to review and approval by the Division and must not disturb the integrity of the cap system, or the function of the monitoring systems. The Division may approve any other disturbance if the owner or operator demonstrates that disturbance of the cap system, including any removal of waste, will not increase the potential threat to human health or the environment.
25. The permittee must maintain a record of all monitoring events and analytical data. Reports of the sampling events and analytical data must be submitted to the Section in a timely manner.
26. Any proposed expansion to the closed landfill units will be considered a new landfill for purposes of Solid Waste Management permitting.

-- End of Section --



### **ATTACHMENT 3**

### **CONDITIONS OF PERMIT TO OPERATE**

#### **PART I: GENERAL FACILITY CONDITIONS**

1. The Permit to Operate shall expire February 8, 2018. Pursuant to 15A NCAC 13B .0201(g), no later than August 8, 2017, the owner or operator must submit a request to the Section for permit review prepared in accordance with Section .1603(a)(2) or (3) as applicable, and must update pertinent facility plans including, but not limited to, the facility operation and waste screening plans.
2. This permit authorizes the operation of Phase 3-Cell 2I & Phase 1 Vertical in accordance with the approved plan referenced in Attachment 1, Part II, of this permit.
3. The edge of the waste footprint for all disposal units must be identified with permanent physical markers.
4. Financial assurance as required by state rules and statutes must be continuously maintained for the duration of the facility in accordance with applicable rules and statutes. Closure and Post-Closure cost estimates and financial instruments must be updated annually.
5. Closure or partial closure of any MSWLF unit must be in accordance with the Closure Plans described in the approved plans and 15A NCAC 13B .1629. Closure and Post-Closure cost estimates and financial instruments must be updated annually pursuant to 15A NCAC 13B .1628.

#### **Operational Requirements**

6. This facility is permitted to receive solid waste generated within the City of Concord, Cabarrus County, the State of North Carolina, and the following counties in the State of South Carolina: Cherokee, York, Lancaster, Chesterfield and Chester and serve the associated populations except as may be prohibited by North Carolina General Statutes Article 9 of Chapter 130A and rules adopted by the Commission for Health Services.
7. The franchise issued for this facility by the City of Concord provides for an average annual disposal rate of 120,000 tons per month not to exceed a maximum of 140,000 tons per month.
8. The owner or operator of the landfill facility must not knowingly dispose of any type or form of municipal solid waste that is generated within the boundaries of a unit of local government that by ordinance:

- a. Prohibits generators or collectors of municipal solid waste from disposing of that type or form of municipal solid waste.
  - b. Requires generators or collectors of municipal solid waste to recycle that type or form of municipal solid waste.
9. The facility operator must complete an approved operator-training course in compliance with G.S. 130A-309.25.
  - a. A responsible individual certified in landfill operations must be on-site during all operating hours of the facility that it is open for public use to ensure compliance with operational requirements.
  - b. All pertinent landfill-operating personnel must receive training and supervision necessary to properly operate the landfill units in accordance with G.S. 130A-309.25 and addressed by memorandum dated November 29, 2000.
10. The use of different alternative daily cover requires approval, prior to implementation, by the Solid Waste Section. Requests for alternative daily cover approval must include a plan detailing the comprehensive use and a demonstration of the effectiveness of the alternative daily cover. The plan must be developed according to Section guidelines. Plans which are approved by the Section, will be incorporated into, and made a part of, the approved documents listed in Attachment 1.
  - a. The use of a automobile shedder fluff mixed with soil, petroleum contaminated soil, tarps and foundry sand, as an alternate daily cover is approved and subject to the terms and conditions of operation as set forth in the plan.
11. The facility must maintain records for all solid waste materials accepted as alternative cover material and used as alternate daily cover. The records must include: the date of receipt, weight of material, general description of the material, identity of the generator and transporter, and county of origin. Such records must be made available to the Solid Waste Section upon request.

#### **Monitoring and Reporting Conditions**

12. Ground water monitoring must be as prescribed by the appropriate requirements of 15A NCAC 13B .1630-.1637 and the approved monitoring plan. In addition, landfill gas monitoring at this unit must be as prescribed by the appropriate requirements of Rule .1626(4) and the approved monitoring plan.
13. A Licensed Geologist must supervise installation of groundwater monitoring wells.



The exact locations, screened intervals, and nesting of the wells must be established after consultation with the Section Hydrogeologist at the time of well installation.

14. Any modification to the approved water quality monitoring, sampling, and analysis plan must be submitted to the Section Hydrogeologist for review.
15. Within 30 days of completed construction of each new groundwater monitoring well, a well construction record (GW-1 form), typical well schematic, boring log, field log and notes, and description of well development activities must be submitted to the Section.
16. A readily accessible unobstructed path must be cleared and maintained so that four-wheel drive vehicles may access monitoring well locations at all times.
17. A field logbook which details all development, sampling, repair, and all other pertinent activities associated with each monitoring well and all sampling activities associated with each surface water and leachate sampling location must be kept as part of the permanent facility record.
18. Landfill gas monitoring reports must be added to the facility's operating record within 7 days of the monitoring event, and must include a description of the monitoring method used, the sampling results of each probe and onsite buildings in percent of the lower explosive limit (LEL), date of monitoring, weather conditions, calibration report, and signature of the sampling personnel.
19. Copies of this permit, the approved plans and all records required by the permittee must be maintained at the facility as part of the permanent record and available to the Section upon request during normal business hours.
20. Ground water monitoring wells and surface water sampling locations must be sampled for Appendix I constituents at least semi-annually according to the specifications outlined in the approved water quality monitoring plan and the current policies and guidelines of the Section in effect at the time of sampling. Methane monitoring must be conducted quarterly, unless otherwise specified by the Section.
21. Reports of the analytical data for each water quality sampling event must be submitted to the Section within 120 days of the respective sampling event. Analytical data must be submitted in an electronic portable document format (pdf) and in a spreadsheet format in an Electronic Data Deliverable (EDD) Template.
22. The four independent samples which comprise the initial baseline sampling event must be collected from each ground water monitoring well and the report must be submitted to the Section within six months after issuance of the Permit to Operate.



23. The permittee must provide a plan sheet-sized, scaled topographical map, showing the location and identification of new, existing, and abandoned wells and piezometers after installation of groundwater monitoring wells. Each monitoring well and gas probe must be surveyed for location and elevation. Each groundwater monitoring well must have an identification plate permanently attached to the well, in accordance with 15A NCAC 2C .0108(o).
24. Well abandonment records (GW-30 form) for each decommissioned piezometer, boring, and groundwater monitoring well must be certified by a Licensed Geologist and submitted to the Section in accordance with 15A NCAC 2C .0114 (b).
25. Untreated leachate must be sampled and analyzed at least semi-annually concurrently with the ground and surface water sampling. The leachate must be analyzed for all Appendix I constituents, pH, specific conductance, BOD, COD, phosphate, nitrate, and sulfate. Test results must be submitted to the Section along with ground and surface water test results. In the event leachate is recirculated, additional leachate sampling may be required.
26. All accessible leachate lines at the facility must be camera-inspected and cleaned as per the approved Operation Plan or earlier if an abnormal reduction in leachate production is observed. Any blockages encountered must be repaired and reported to the Section. Following any blockages, the frequency of camera inspection and cleaning is yearly. Leachate lines in areas of new construction must be cleaned and camera-inspected after construction is complete and the documentation submitted to the section as part of the CQA report. The initial camera inspection and cleaning of all accessible leachate lines at the facility must be performed, and a report submitted to the Section. Documentation of all subsequent camera-inspections and cleaning must be added to the facility operating record and made available to the Section upon request.

-- End of Section --

## **PART II: MUNICIPAL SOLID WASTE LANDFILL SPECIFIC CONDITIONS**

27. The facility is permitted to co-dispose of wastewater treatment sludge generated within the facility's approved service area, and subject to the terms and procedures of the approved plan.

28. The owner or operator must maintain a record of the amount of solid waste received at the landfill unit, compiled on a monthly basis. Scales must be used to weigh the amount of waste received.
29. On or before August 1 annually, the Permittee must submit an annual facility report to the Section, on forms prescribed by the Section.
  - a. The reporting period shall be for the previous year beginning July 1 and ending June 30.
  - b. The annual report must list the amount of waste received and landfilled in tons and be compiled:
    - i. On a monthly basis.
    - ii. By county, city or transfer station of origin.
    - iii. By specific waste type.
    - iv. By disposal location within the facility.
    - v. By diversion to alternative management facilities.
  - c. A measurement of volume utilized in the MSW cells must be performed during the second quarter of the calendar year. The date and volumes, in cubic yards, must be included in the report.
  - d. The amount of MSW waste, in tons from scale records, disposed in landfill cells since March 6, 1992 through the date of the annual volume survey must be included in the report.
  - e. The completed report must be forwarded to the Regional Waste Management Specialist for the facility by the date due on the prescribed annual facility report form.
  - f. A copy of the completed report must be forwarded to each county manager for each county from which waste was received at the facility. Documentation that a copy of the report has been forwarded to the county managers must be sent to the Regional Waste Management Specialist by the date due on the prescribed annual facility report form.
30. The proper removal of geotextile covering the gravel column, occurring with the progression of fill, shall be documented by the facility's trained landfill operator, or other person approved by the Section and the documentation shall be placed in the facility's operating record.

**PART III: CONSTRUCTION AND DEMOLITION DEBRIS UNIT SPECIFIC  
CONDITIONS**

Not applicable

**PART IV: LAND CLEARING AND INERT DEBRIS UNIT SPECIFIC CONDITIONS**

Not applicable

**PART V: YARD WASTE UNIT SPECIFIC CONDITIONS**

Not applicable

**PART VI: MISCELLANEOUS TREATMENT AND PROCESSING UNIT SPECIFIC  
CONDITIONS**

Not applicable

*- End of Permit Conditions -*